



**THE CARLSBAD CITY COUNCIL  
WELCOMES YOUR PARTICIPATION  
SEPTEMBER 18, 2007 AGENDA**

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**CITY COUNCIL  
AND  
CARSBAD MUNICIPAL WATER DISTRICT**

**TO SPEAK TO COUNCIL AT TONIGHT'S MEETING:**

1. For Public Hearings it is not necessary to fill out a "Speaker Card". For all other items, fill out a "Speaker Card".
  - a. For items listed on the agenda (including Consent Calendar), there is a five (5) minute time limit on individual speakers.
  - b. For items not listed on the agenda (Public Comment), there is a three (3) minute time limit on individual speakers.
2. Before the item is heard, place the card in the clear tray marked Speaker Slips. It is located on the wall adjacent to the Deputy City Clerk.
3. When called by the Mayor, come forward and begin by stating your name and address.

**OTHER INFORMATION:**

- Citizens may have an item listed on a future agenda by submitting a letter to the City Manager. Unless the Mayor, with the consent of the Council, otherwise directs, such presentations shall be limited to ten (10) minutes.
- It is Council's policy to adjourn meetings no later than 10:00 P.M.
- Persons with a disability may request an agenda packet in appropriate alternative formats as required by the Americans with Disabilities Act of 1990 by contacting the City Manager's office at (760) 434-2821. All persons requiring reasonable accommodations or auxiliary aids in order to effectively participate in the meeting may contact the City Manager's office by noon on the Monday preceding the meeting to make such arrangements.

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The Agenda and Agenda Bills are available on the City's website:  
[www.ci.carlsbad.ca.us](http://www.ci.carlsbad.ca.us)

CALL TO ORDER: 6:00 P.M.

ROLL CALL:

INVOCATION:

PLEDGE OF ALLEGIANCE:

PRESENTATIONS:

Proclamation Presentation in Recognition of the Bronco Gold All Star Baseball Team.

**CONSENT CALENDAR:** *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed. There will be no separate discussion on these items prior to the vote, unless an item is removed.*

**WAIVER OF ORDINANCE TEXT READING:**

**This is a motion to waive the reading of the text of all ordinances and resolutions at this meeting.**

1. **AB #19,165 – AWARD OF CONTRACT.**

Accepting bids and awarding a contract to Rangel Development Group, Incorporated for the Poinsettia Sewer Lift Station Upgrade, Project No. 3875.

Resolution No. 2007-244.

ACTION:

2. **AB #19,166 – NOTICE OF COMPLETION.**

Accepting the construction of the Highland Drive Storm Drain as complete, and directing the City Clerk to file a Notice of Completion, Project No. 6600.

Resolution No. 2007-245.

ACTION:

3. **AB #19,167 – AWARD OF CONTRACT.**

Accepting bids and awarding a contract to Court Concepts, Incorporated for the construction of the Poinsettia Community Park Phase IIA Tennis Courts, and appropriating funds, Project No. 4502.

Resolution No. 2007-246.

ACTION:

4. **AB #19,168 – MANAGEMENT PERFORMANCE AND COMPENSATION PLAN.**

Amending the management salary structure and modifying the health benefits and long-term disability provision of the Management Compensation and Benefits Plan.

Resolution No. 2007-247.

ACTION:

## CONSENT CALENDAR (Continued)

5. AB #19,169 – AMENDMENT TO AGREEMENT AND ACCEPTANCE OF GRANT.

Approving Amendment No. 2 to the Agreement with the San Diego County Aging and Independence Services (A.I.S.), and accepting a grant award for congregate meals, home meal delivery and transportation services for Fiscal Year 2007-2008.

Resolution No. 2007-248.

ACTION:

6. AB #19,174 – INTERIM CITY MANAGER APPOINTMENT.

Acknowledging the retirement of the City Manager and appointing an Interim City Manager during the recruitment process, and appropriating funds.

Resolution No. 2007-250.

ACTION:

## ORDINANCES FOR INTRODUCTION:

7. AB #19,171 – AMENDMENTS TO CHAPTERS 8.09 AND 8.44 OF THE CARLSBAD MUNICIPAL CODE.

To consider renaming Chapter 8.09 of the Carlsbad Municipal Code from Cabaret Dances to Entertainment License; repealing Code Sections 8.09.011 through 8.09.017 relating to Cabaret Dances and adding Sections 8.09.010 through 8.09.170 relating to entertainment licenses; and, to consider adding Sections 8.44.040 and 8.44.050 to the Carlsbad Municipal Code relating to alcoholic beverages in certain city-owned public places.

Introduction of Ordinance Nos. NS-859 and NS 860.

ACTION:

## ORDINANCE FOR ADOPTION:

8. AB #19,170 – CITY COUNCIL COMPENSATION.

Adopting Ordinance No. NS-858 amending Title 2, Chapter 2.04 of the Carlsbad Municipal Code by the amendment of Section 2.04.010 to increase the compensation of the Mayor and members of the City Council to become operative following the November 2008 election.

ACTION:

## PUBLIC COMMENT:

*In conformance with the Brown Act, no Council action can occur on items presented during Public Comment.*

*A total of 15 minutes is provided so members of the public can address the Council on items that are not listed on the Agenda. Speakers are limited to three (3) minutes each. If you desire to speak during Public Comment, fill out a **SPEAKER CARD** and place it in the clear tray on the wall adjacent to the Deputy City Clerk. If there are more than five (5) speakers, the remaining speakers will be heard at the end of the agenda just prior to Council Reports.*

*When you are called to speak, please come forward and state your name and address.*

## **PUBLIC HEARINGS:**

***This item was continued from the Council Meeting held July 24, 2007.***

9. **AB #19,109 – KELLY/JRM OFFICE BUILDING.**

To consider approving an amendment to the Zoning Map to grant a Zone Change, ZC 04-15, from Planned Industrial-Qualified Development Overlay zone to Open Space; and,

To consider adopting a Mitigated Declaration and Mitigation Monitoring and Reporting Program, and approving a Consistency Determination for the McClellan-Palomar Airport Comprehensive Land Use Plan, a General Plan Amendment (GPA 04-20), a Local Coastal Program Amendment (LCPA 06-05) and a Coastal Development Permit (CDP 03-03) on property located on the southeast corner of Palomar Airport Road and Aviara Parkway. Introduction of Ordinance No. NS-852.

Resolution No. 2007-199.

ACTION:

10. **AB #19,172 – APPEAL OF CITY ENGINEER'S DECISION.**

To consider an appeal of the City Engineer's decision approving Minor Subdivision MS 07-01 (Thomas Scott).

ACTION:

## **ADJOURNMENT TO THE CARLSBAD MUNICIPAL WATER DISTRICT MEETING**

**CITY OF CARLSBAD**  
**MUNICIPAL WATER DISTRICT**

**AGENDA**

**Special Meeting**

**September 18, 2007**

**6:00 P.M.**

CALL TO ORDER:

ROLL CALL:

**CONSENT CALENDAR:** *The items listed under Consent Calendar are considered routine and will be enacted by one motion as listed. There will be no separate discussion on these items prior to the vote, unless an item is removed.*

**WAIVER OF ORDINANCE TEXT READING:**

**This is a motion to waive the reading of the text of all ordinances and resolutions at this meeting.**

1. **AB #640 – AWARD OF CONTRACT.**

Accepting bids and awarding the contract to Layfield Environmental Systems Corporation for the Maerkle Reservoir Cover Inspection, Cleaning, Repair and Rainwater System Upgrade, Project No. 5005.  
Resolution No. 1305.

ACTION:

**ADJOURNMENT TO THE CONTINUATION OF THE CITY COUNCIL MEETING**

CONTINUATION OF THE CITY COUNCIL MEETING

**DEPARTMENTAL AND CITY MANAGER REPORTS:**

11. AB #19,173 – REQUEST FOR “IN KIND” SERVICE ASSISTANCE.

To consider a request from the La Costa Canyon High School Associated Student Body (ASB) Council for “in kind” service assistance regarding their Homecoming Parade.

Resolution No. 2007-249.

ACTION:

***This item was continued from the Council Meeting held September 11, 2007.***

12. AB #19,163 – CITYWIDE RECORDS MANAGEMENT PROGRAM PRESENTATION.

To receive an update on the Citywide Records Management Program and approving revisions to the established Records Retention Schedule.

Resolution No. 2007-241.

ACTION:

**PUBLIC COMMENT:** Continuation of the Public Comments (if necessary)

*The remainder of the categories are for reporting purposes. In conformance with the Brown Act, no public testimony and no Council action can occur on these items.*

**COUNCIL REPORTS AND COMMENTS:** (\*=Appointed by other agency) (Revised 4/17/07)

**NYGAARD**

Buena Vista Lagoon JPA  
City/School Committee  
LOSSAN Corridor Board of Directors  
North County Dispatch Joint Powers Authority (alternate)  
North County Transit District Board of Directors  
North County Transit District Planning Committee

**PACKARD**

Buena Vista Lagoon JPA  
City/School Committee  
EFJPA  
Encina Joint Powers (JAC)  
Encina Wastewater Authority  
League of California Cities - SD Division  
League of California Cities Transportation, Communication & Public Works Committee  
North County Dispatch Joint Powers Authority

**HALL**

Chamber of Commerce Liaison  
League of California Cities Revenue and Taxation Committee  
SANDAG Board of Directors  
SANDAG Executive Committee  
SANDAG Public Safety Committee

**KULCHIN**

American Coastal Coalition Board of Directors  
American Shore & Beach Preservation Association, Board of Directors  
CalCoast Board of Directors  
Carlsbad ConVis (alternate)  
Encina Joint Powers (JAC)  
Encina Wastewater Authority (EWA)  
North County Transit District (alternate)  
\*San Diego Authority for Freeway Emergencies (SAFE)  
SANDAG Board of Directors (2<sup>nd</sup> alternate)  
\*SANDAG Shoreline Preservation Committee

**LEWIS**

Chamber of Commerce Liaison  
LAFCO Cities Advisory Committee  
North County Mayors and Managers  
SANDAG (1<sup>st</sup> alternate)  
San Diego County Water Authority Board of Directors

CITY MANAGER COMMENTS:

CITY ATTORNEY COMMENTS:

**ANNOUNCEMENTS:**

This section of the Agenda is designated for announcements to advise the community regarding events that Members of the City Council have been invited to, and may participate in.

ADJOURNMENT.